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May 5, 2005

Via telefax 617-227-9231 & US Mail

Carlton Dasent, Esq.  
James Dilday, Esq.  
27 School Street, Suite 400  
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**RE: Pechner-James and Fernandez v. City of Revere, et als**

Dear Counsel:

I write in response to Attorney Dasent's request that Ms. Pechner-James' deposition be held on May 26 or 27<sup>th</sup> 2005. These dates are not good for me for a variety of reasons. With relation to the current suit, plaintiff Pechner-James is not ready to be deposed because there are too many outstanding discovery issues. First, the interrogatory answers submitted by this office to you on February 17, 2005 have not been answered to date. [As I understand it, the City's interrogatories have likewise not been answered despite a written agreement, and in turn, a court order allowing interrogatories in excess of the Rules.] Please advise quickly when complete interrogatory answers will be provided to me. Please consider this a request under Local Rule 7.1.

Second, Ms. Pechner-James document responses received via mail on April 28, 2005 is nowhere near complete or responsive to the documents requested, or required.<sup>1</sup> This document response repeatedly provides copies of the same few documents, but omits so many of the documents referenced in the few that are provided. For example, the medical summaries/opinions you provide reference other documents and other treatment sessions over time, but no such treatment notes are provided. I find this curious. I also have other issues

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<sup>1</sup>On April 11, 2005, you advised Attorney John Vigliotti that you would be dropping off a box of documents at my office on the week of April 18, 2005. We neither heard from you, nor received the documents in that time frame. Presumably, the documents received on April 28 were the documents previously in a box.